

DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION  
(37 C.F.R. § 1.63)

AS A BELOW-NAMED INVENTOR, I HEREBY DECLARE THAT:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **METHODS FOR THE DIAGNOSIS AND TREATMENT OF LUNG CANCER**, the specification of which is attached hereto unless the following box is checked:

☐ is attached hereto

OR

☒ was filed on March 30, 1999 as United States Application Serial No. or PCT International Application No. PCT/US99/06947 and was amended on \_\_\_\_\_ (if applicable).

I HEREBY STATE THAT I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

I acknowledge the duty to disclose information which is material to the patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States of America listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application Number	Country	Foreign Filing Date (month/day/year)	Priority Claimed?
			<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Number	Filing Date
60/080,044	03/31/1998

I hereby claim the benefit under 35 U.S.C. § 120 of the United States application(s), or § 365(c) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (month/day/year)	Parent Patent Number (if applicable)
PCT/US99/06947	03/30/1999	

Please direct all communications to:

Antoinette F. Konski, Esq.  
Baker & McKenzie  
660 Hansen Way  
Palo Alto, California 94304  
Telephone: (650) 856-2400  
Facsimile: (650) 856-9299

Please direct all telephone calls to Antoinette F. Konski at (650) 856-5564.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title of 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: \_\_\_\_\_ By: \_\_\_\_\_

Name: Jin Jen  
Residence: 2104 Heritage Drive, Baltimore, Maryland 21209  
Citizenship: US  
Post Office Address: Same as above

Date: 12/8/00 By: \_\_\_\_\_

Name: Gary A. Beaudry  
Residence: ~~109 Inwood Avenue, Montclair, New Jersey 07043~~  
Citizenship: US 24 MONTCLAIR AVE, MONTCLAIR NEW JERSEY 07110  
Post Office Address: Same as above LAB.

Date: \_\_\_\_\_ By: \_\_\_\_\_

Name: Stephen L. Madden  
Residence: 137 Nobscot Road, Sudbury, Massachusetts 01776  
Citizenship: US  
Post Office Address: Same as above

Date: \_\_\_\_\_ By: \_\_\_\_\_

Name: Arthur H. Bertlesen  
Residence: 215 Manor Road, Ridgewood, New Jersey 07450  
Citizenship: US  
Post Office Address: Same as above

Date: \_\_\_\_\_ By: \_\_\_\_\_

Name: David Sidransky  
Residence: 3007 Northbrook Road, Baltimore, MD 21209  
Citizenship: US  
Post Office Address: Same as above



I hereby declare that all statements made herein of my own knowledge are true and that statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title of 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: \_\_\_\_\_ By: \_\_\_\_\_

Name: Jin Jen  
Residence: 2104 Heritage Drive, Baltimore, Maryland 21209  
Citizenship: US  
Post Office Address: Same as above

Date: \_\_\_\_\_ By: \_\_\_\_\_

Name: Gary A. Beaudry  
Residence: 109 Inwood Avenue, Montclair, New Jersey 07043  
Citizenship: US  
Post Office Address: Same as above

Date: 12-19-00 By: 

Name: Stephen L. Madden  
Residence: 137 Nobscot Road, Sudbury, Massachusetts 01776  
Citizenship: US  
Post Office Address: Same as above

Date: \_\_\_\_\_ By: \_\_\_\_\_

Name: Arthur H. Bertlesen  
Residence: 215 Manor Road, Ridgewood, New Jersey 07450  
Citizenship: US  
Post Office Address: Same as above

Date: \_\_\_\_\_ By: \_\_\_\_\_

Name: David Sidransky  
Residence: 3007 Northbook Road, Baltimore, MD 21209  
Citizenship: US  
Post Office Address: Same as above

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title of 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: \_\_\_\_\_ By: \_\_\_\_\_

Name: Jin Jen  
Residence: 2104 Heritage Drive, Baltimore, Maryland 21209  
Citizenship: US  
Post Office Address: Same as above

Date: \_\_\_\_\_ By: \_\_\_\_\_

Name: Gary A. Beaudry  
Residence: 109 Inwood Avenue, Montclair, New Jersey 07043  
Citizenship: US  
Post Office Address: Same as above

Date: \_\_\_\_\_ By: \_\_\_\_\_

Name: Stephen L. Madden  
Residence: 137 Nobscot Road, Sudbury, Massachusetts 01776  
Citizenship: US  
Post Office Address: Same as above

Date: 12-6-00 By: 

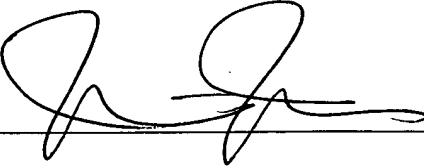
Name: Arthur H. Bertlesen  
Residence: 215 Manor Road, Ridgewood, New Jersey 07450  
Citizenship: US  
Post Office Address: Same as above

Date: \_\_\_\_\_ By: \_\_\_\_\_

Name: David Sidransky  
Residence: 3007 Northbook Road, Baltimore, MD 21209  
Citizenship: US  
Post Office Address: Same as above

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title of 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 1/3/01

By: 

Name: Jin Jen  
Residence: 2104 Heritage Drive, Baltimore, Maryland 21209  
Citizenship: US  
Post Office Address: Same as above

Date: \_\_\_\_\_

By: \_\_\_\_\_

Name: Gary A. Beaudry  
Residence: 109 Inwood Avenue, Montclair, New Jersey 07043  
Citizenship: US  
Post Office Address: Same as above

Date: \_\_\_\_\_

By: \_\_\_\_\_


Name: Stephen L. Madden  
Residence: 137 Nobscot Road, Sudbury, Massachusetts 01776  
Citizenship: US  
Post Office Address: Same as above

Date: \_\_\_\_\_

By: \_\_\_\_\_

Name: Arthur H. Bertlesen  
Residence: 215 Manor Road, Ridgewood, New Jersey 07450  
Citizenship: US  
Post Office Address: Same as above

Date: 1/4/01

By: 

Name: David Sidransky  
Residence: 3007 Northbook Road, Baltimore, MD 21209  
Citizenship: US  
Post Office Address: Same as above

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

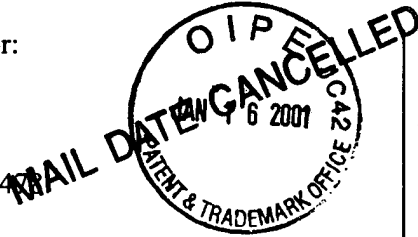
In re Application for:

Jin Jen et al.

Serial No.: 09/646,471

Filing Date: Herewith

For: METHODS FOR THE DIAGNOSIS AND  
TREATMENT OF LUNG CANCER



Examiner: Not yet assigned

Group Art Unit: Not yet assigned



PROSECUTION BY ASSIGNEE AND POWER OF ATTORNEY  
UNDER 37 C.F.R. § 3.71

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Genyme Corporation, an assignee of the right, title and interest in this patent application,  
under 37 C.F.R. § 3.71 hereby appoints:

Antoinette F. Konski  
Mark Della Valle  
Vid Bhakar

Reg. No. 34,202  
Reg. No. 34,147  
Reg. No. 42,323

all of the firm Baker & McKenzie, 660 Hansen Way, Palo Alto, CA 94304, to prosecute this  
application and transact all matters in the United States Patent and Trademark Office connected  
therewith, said appointment to be to the exclusion of the inventors and their attorneys in  
accordance with the provisions of 37 C.F.R. § 3.71.

Please direct all written communications relative to this application to:

Antoinette F. Konski  
Baker & McKenzie  
660 Hansen Way  
Palo Alto, CA 94304

Please direct all telephone communications to Antoinette F. Konski at (650) 856-5564.

GENZYME CORPORATION

Dated: 12-18-00

By: Thomas J. DesRosier

Name: Thomas J. DesRosier

Title: Senior Vice President

Chief Patent Counsel

Genzyme Corporation

Address: Metrowest Place

15 Pleasant Street Connector

Framingham, MA 01701



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:

Jin Jen et al.

Serial No.: 09/646,478

International Filing Date: March 30, 1999

For: METHODS FOR THE DIAGNOSIS AND  
TREATMENT OF LUNG CANCER



Examiner: Not yet assigned

Group Art Unit: Not yet assigned



**CERTIFICATE UNDER 37 CFR § 3.73(b)**

**Genzyme Corporation**, a **Massachusetts** corporation certifies that it is a joint assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☒ An assignment from inventors of the patent application identified above. The assignment is being filed under separate cover and a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assigned as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of the undersigned's knowledge and belief, title is in the assignee identified above.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United State Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 12-18-00

By: 

Name: Thomas J. DesRosier

Title: Senior Vice President

Chief Patent Counsel

Genzyme Corporation

Address: Metrowest Place  
15 Pleasant Street Connector  
Framingham, MA 01701

class mail in an  
January 17, 2001

2001

PATENT & TRADEMARK OFFICE

**Name: C. Fong**

**By:**

MAIL DATE CANCELLED

REC

To the Commissioner of Patents

COPY

# RECORDATION FORM COVER SHEET PATENTS ONLY

Patent and Trademark Office

**Attorney's Docket No. 126881-201800**

To the Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): **Gary A. Beaudry; Stephen L. Madden; and Arthur H. Bertlesen;**

- ☒ Individual(s)
 ☐ Association  
☐ General Partnership
 ☐ Limited Partnership  
☐ Corporation-State
 ☐ Other

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

- ### 3. Nature of conveyance:

- ☒ Assignment                      ☐ Merger  
☐ Security Agreement           ☐ Change of Name  
☐ Other:

**Execution Date: December 8 and 19, 2000**

2. Name and address of receiving party(ies):

**Name: Genzyme Corporation**  
**Address: Metrowest Place, 15 Pleasant Street Connector**  
**City: Framingham State: Massachusetts**  
**Zip Code: 01701-9322 USA**

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s): 09/646,478

- 5.

**If this document is being filed with a new application, the execution date of the application is:**

- A. Patent Application No.(s):

- B. Patent No.(s):**

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning Document should be mailed:

**Antoinette F. Konski  
Baker & McKenzie  
660 Hansen Way  
Palo Alto, California 94304**

6. Total number of applications and patents involved: 1

7. Total fee (37 C.F.R. § 3.41): **\$40.00**

- ☒ Enclosed  
☐ Authorized to be charged to deposit account, referencing  
Attorney Docket No.

8. Deposit account number: 50-0974

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §1.21 that may be required by this paper, or to credit any overpayment to Deposit Account No. 50-0974

**DO NOT USE THIS SPACE**

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

**Name: Antoinette F. Konski (Reg. No. 34,202)**

**Signature**

**Date: January 11, 2001**

Total number of pages comprising cover sheet, attachments and document: 6

**Mail documents to be recorded with required cover sheet information to:**

U.S. Patent and Trademark Office  
Office of Public Records  
Box Assignments  
Crystal Gateway 4, Room 335  
Washington, D.C. 20231

# ASSIGNMENT JOINT

THIS ASSIGNMENT, by Gary A. Beaudry, Stephen L. Madden and Arthur N. Bertlesen (hereinafter referred to as the assignors), residing at ~~189 Lakewood Avenue, Montclair, New Jersey 07043~~; 137 Nobscot Road, Sudbury, Massachusetts 01776 and 215 Manor Road, Ridgewood, New Jersey 07450, respectively, witnesseth:

WHEREAS, said assignors have invented certain new and useful improvements in **METHODS FOR THE DIAGNOSIS AND TREATMENT OF LUNG CANCER**, set forth in an application for Letters Patent of the United States, bearing Serial No. 09/646,478, based on PCT International PCT/US99/06947, filed on March 30, 1999, and

WHEREAS, Genzyme Corporation, a corporation duly organized under and pursuant to the laws of the commonwealth of Massachusetts and having its principal place of business at Metrowest Place, 15 Pleasant Street Connector, Framingham, Massachusetts 01701 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, said assignors have sold, assigned, transferred and set over, and by these presents does sell, assign, transfer and set over, unto said assignee, its successors, legal representative and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and the use of its successors, legal representative and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

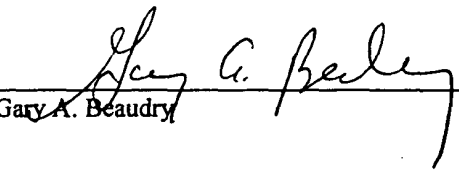
AND for the same consideration, said assignors hereby covenant and agree to and with said assignee its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignors are the joint and lawful owners of the entire right, title and interest in and to said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that said assignors will, whenever counsel of said assignee, or the counsel of its successors, legal representative and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns.

PATENT

AND said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignee, its successors, legal representatives and assigns.

12/8/00  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Gary A. Beaudry

\_\_\_\_\_  
Date

\_\_\_\_\_  
Stephen L. Madden

\_\_\_\_\_  
Date

\_\_\_\_\_  
Arthur N. Bertlesen


PATENT

AND said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignee, its successors, legal representatives and assigns.

\_\_\_\_\_  
Date

12/19/00  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Gary A. Beaudry

\_\_\_\_\_  
  
\_\_\_\_\_  
Stephen L. Madden

\_\_\_\_\_  
Date

\_\_\_\_\_  
Arthur N. Bertlesen

ASSIGNMENT  
JOINT

THIS ASSIGNMENT, by Gary A. Beaudry, Stephen L. Madden and Arthur <sup>H.</sup> Bertlesen (hereinafter referred to as the assignors), residing at 109 Inwood Avenue, Montclair, New Jersey 07043; 137 Nobscot Road, Sudbury, Massachusetts 01776 and 215 Manor Road, Ridgewood, New Jersey 07450, respectively, witnesseth:

WHEREAS, said assignors have invented certain new and useful improvements in **METHODS FOR THE DIAGNOSIS AND TREATMENT OF LUNG CANCER**, set forth in an application for Letters Patent of the United States, bearing Serial No. 09/646,478, based on PCT International PCT/US99/06947, filed on March 30, 1999, and

WHEREAS, Genzyme Corporation, a corporation duly organized under and pursuant to the laws of the commonwealth of Massachusetts and having its principal place of business at Metrowest Place, 15 Pleasant Street Connector, Framingham, Massachusetts 01701 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, said assignors have sold, assigned, transferred and set over, and by these presents does sell, assign, transfer and set over, unto said assignee, its successors, legal representative and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and the use of its successors, legal representative and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignors are the joint and lawful owners of the entire right, title and interest in and to said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that said assignors will, whenever counsel of said assignee, or the counsel of its successors, legal representative and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns.

AND said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said inventions and the Letters Patent to be issued thereon for the sole use of said assignee, its successors, legal representatives and assigns.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Gary A. Beaudry

\_\_\_\_\_  
Date

\_\_\_\_\_  
Stephen L. Madden

\_\_\_\_\_  
Date

12-6-00

\_\_\_\_\_  
Arthur M. Bertleson  
H.